

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

KING PHARMACEUTICALS, INC.,
JENCAP RESEARCH LTD.,

Plaintiffs,

v.

BARR LABORATORIES, INC.,

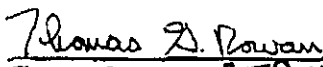
Defendant.

Civil Action Nos. 04-CV-5379-LAK


STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE

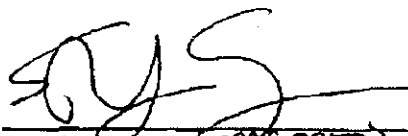
Pursuant to Fed. R. Civ. P. 41, Plaintiffs King Pharmaceuticals, Inc. and Jencap Research, Ltd., and Defendant, Barr Laboratories, Inc., through their attorneys, stipulate and agree that the Complaint is hereby dismissed without prejudice. The parties will each bear their own attorneys' fees and costs.

Dated: January 4, 2005


Thomas G. Rowan (TR4457)
JONES DAY
222 East 41st Street
New York, New York 10017-6702
Counsel for Plaintiffs

SO ORDERED:

Lewis A. Kaplan, U.S.D.J. 


S. Robert Schragel (SRS 0952)
BONDY & SCHLOSS
60 East 42 Street, Floor 37
New York, New York 10165
Counsel for Defendant

DATED: 

1/7/05